

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169

Lewis Roca
ROTHGERBER CHRISTIE

Evan A. Feters (Utah Bar # 16045)
Admitted Pro Hac Vice
Tyler A. Theobald (California Bar # 254215)
Admitted Pro Hac Vice
Spencer H. Reed (Utah Bar # 13338)
Admitted Pro Hac Vice
**OFFICE OF THE GENERAL COUNSEL OF MARCUS
& MILLICHAP REAL ESTATE INVESTMENT
SERVICES, INC.**
111 South Main Street, Suite 500
Salt Lake City, UT 84111
Tel: (801) 736-2627
Fax: (801) 736-2610
evan.feters@marcusmillichap.com
tyler.theobald@marcusmillichap.com
spencer.reed@marcusmillichap.com

Dan R. Waite (Nev. Bar # 4078)
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169
Tel: (702) 949-8200
Fax: (702) 949-8398
dwaite@lrrc.com

Attorneys for Plaintiffs

Shawn T. Richards (Utah Bar # 11949)
Admitted Pro Hac Vice
Christopher S. Hill (Utah Bar # 9931)
Admitted Pro Hac Vice
KIRTON | MCCONKIE
36 S. State Street, Suite 1900
Salt Lake City, UT 84111
Tel: (801) 328-3600
Fax: (801) 212-2019
srichards@kmclaw.com
chill@kmclaw.com

G. Robert Blakey (D.C. Bar # 424844)
Admitted Pro Hac Vice
William J. & Dorothy K. O'Neill
Professor of Law
Notre Dame Law School¹
7002 East San Miguel Ave.
Paradise Valley, AZ 85352
Tel: (574) 514-8220
blakey.1@nd.edu

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEVADA**

MARCUS & MILLICHAP REAL ESTATE
INVESTMENT SERVICES, INC., MARCUS &
MILLICHAP REAL ESTATE INVESTMENT
SERVICES OF NEVADA, INC., PERRY WHITE,
and GORDON ALLRED,

Plaintiffs,

v.

DEVIN REISS, LEE K. BARRETT, NEIL
SCHWARTZ, NORMA JEAN OPATIK, WAYNE
CAPURRO, RICHARD "DICK" JOHNSON, JAN
HOLLE, the NEVADA REAL ESTATE
COMMISSION, the NEVADA REAL ESTATE
DIVISION, and JOHN or JANE DOES 1-10,

Defendants.

Case No.: 2:18-cv-02409-RFB-VCF

**STIPULATION AND [PROPOSED]
ORDER TO DISMISS WITHOUT
PREJUDICE**

¹ For purposes of identification only.

Plaintiffs, Marcus & Millichap Real Estate Investment Services, Inc., Marcus & Millichap Real Estate Investments Services of Nevada, Inc., Perry White, and Gordon Allred (collectively “Plaintiffs”), by and through their undersigned counsel, and Defendants Devin Reiss, Lee K. Barrett, Neil Schwartz, Norma Jean Opatik, Wayne Capurro, Richard “Dick” Johnson, Jan Holle, the Nevada Real Estate Commission and the Nevada Real Estate Division (collectively “Defendants”), by and through their undersigned counsel, hereby agree and stipulate as follows:

1. This action may be dismissed in its entirety, without prejudice, each party to bear their own attorneys’ fees and costs.

Dated this 6th day of October, 2020

Dated this 6th day of October, 2020

**LEWIS ROCA ROTHGERBER CHRISTIE
LLP**


OFFICE OF THE ATTORNEY GENERAL

By: /s/ Dan R. Waite
 Dan R. Waite (Nev. Bar #4078)
 3993 Howard Hughes Parkway, Suite 600
 Las Vegas, NV 89169
 Tel: (702) 949-8200
 Fax: (702) 949-8398
 dwaite@lrrc.com
Attorney for Plaintiffs

By: /s/ Vivienne Rakowsky
 Aaron D. Ford (Nev. Bar # 7704)
 Vivienne Rakowsky (Nev. Bar # 9160)
 Patty L. Walsh (Nev. Bar # 14431)
 555 E. Washington Ste. 3900
 Las Vegas, NV 89101
 aford@ag.nv.gov
 vrakowsky@ag.nv.gov
 pwalsh@ag.nv.gov
Attorneys for Defendants

ORDER

IT IS SO ORDERED. This action is dismissed in its entirety, without prejudice, each party to bear their own fees and costs.


 RICHARD F. BOULWARE, II
 UNITED STATES DISTRICT JUDGE

DATED this 11th day of October, 2020.